

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACOB ROBERT TEETS,

Plaintiff,

v.

WARDEN VANDERWAGEN, *et al.*,

Defendants.

Case No. 4:24-cv-10426

Honorable Shalina D. Kumar
United States District Judge

**ORDER TRANSFERRING THE CASE TO THE WESTERN DISTRICT
OF MICHIGAN**

Jacob Robert Teets, a Michigan prisoner without a lawyer confined at the St. Louis Correctional Facility in St. Louis, Michigan, has filed a complaint raising claims for violations of his Eighth Amendment rights. See 42 U.S.C. § 1983. He sues Michigan Department of Corrections employees Warden Vanderwagen, John Doe, Prison Counselor Douglas, Sergeant Lanore, Correctional Officer Jacobson, Correctional Officer Parnell, and Sergeant Wakefield in their individual and official capacities. Preston alleges that all claims arose during his incarceration at the Ernest C. Brooks Correctional Facility in Muskegon, Michigan. He requests monetary relief. The Court has granted his application for leave to proceed *in forma pauperis*. (ECF No. 5.)

A review of Teets's allegations shows that his case would have been

brought more appropriately in the Western District of Michigan. 28 U.S.C. § 1391 governs venue in federal civil cases and provides that a civil action may be brought in either: (1) a judicial district in which any defendant resides; or (2) the district in which a substantial part of the events giving rise to the claim occurred. 28 U.S.C. § 1391(b). The Earnest C. Brooks Correctional Facility is located in Muskegon County, which is in the Western District of Michigan. 28 U.S.C. § 102(b). Further, it appears from the complaint that all defendants are employed there, and that all the events forming the basis for his claims arose there.

If venue is improper in the district where a case is filed, a district court may transfer it to the appropriate district. 28 U.S.C. § 1406(a); see also *Sifuentes v. Pluto TV*, No. 23-cv-10129, 2023 WL 319929, at *1 (E.D. Mich. Jan. 19, 2023) (“Congress has instructed district courts to dismiss, or in the interest of justice transfer, a case filed in the wrong division or district. 28 U.S.C. § 1406(a)”).

Accordingly, **IT IS ORDERED** that this case be **TRANSFERRED** to the United States District Court for the Western District of Michigan under 28 U.S.C. § 1406(a). The Court has not reviewed Teets’s complaint under 28 U.S.C. §§ 1915(e)(2), 1915A, or under 42 U.S.C. § 1997e(c).

IT IS SO ORDERED.

s/Shalina D. Kumar

SHALINA D. KUMAR

United States District Judge

Dated: November 21, 2024